



**National Transportation Safety Board
Factual Data Collection Report of Accident**

CHI04CA159

Aircraft Reg No: N5439N
Most Critical Injury: Serious

Location/Time

Nearest City/Place: Lapeer, MI
Occurrence Date: 06/19/2004
Occurrence Time: 1230 EDT

Flight Itinerary

Last Depart. Point: Detroit, MI
Destination: Same as Accident/Incident Location

Aircraft Information

Type of Aircraft: Airplane (Homebuilt)
Make/Model: Bracken / CB540
Serial Number: 981101-39
Landing Gear: Retractable - Tricycle
Engine Type: Reciprocating
Engine Make/Model: Lycoming / IO-540-C4B5
Aircraft Damage: Destroyed
Aircraft Fire: None

Operator Information

Registered Acft Owner: Charles Oakley Bracken
Operator of Aircraft: Same As Reg'd Aircraft Owner
Operator Address: Detroit, MI
Reg. Flt. Conducted Under: Part 91: General Aviation

Weather

Condition of Light: Dawn
Wx Cond. at Site: Visual Conditions

First Pilot Information

Cert(s)/Rating(s): Private; Single-engine Land
Instrument Ratings: Airplane
Medical Cert: Class 3
Date of Last Med. Exam: 03/2003

Flight Time (Hours)

Total All Aircraft: 1100
Total Make/Model: 460

Injury Summary

	<u>Fatal</u>	<u>Serious</u>	<u>Minor/None</u>
Crew	0	1	0
Pass	0	0	0

Narrative

*** This investigation is based on information furnished by the Pilot/Operator. Additional details may be found in the Form 6120.1***

On June 19, 2004, at 1230 eastern daylight time, an amateur-built Bracken CB540 (Berkut 540 variant), N5439N, built and operated by a private pilot, was destroyed during an in-flight collision with wires, trees and terrain following a loss of control during final approach to runway 36 (3,605 feet by 50 feet, asphalt), at the Dupont-Lapeer Airport (D95), near Lapeer, Michigan. Visual meteorological conditions prevailed at the time of the accident. The personal flight was operating under the provisions of 14 CFR Part 91 without a flight plan. The pilot was seriously injured. The flight departed Detroit City Airport (DET) at an unconfirmed time.

The pilot reported that the airplane had a "strong desire to turn left" during the flight to D95. The pilot stated he monitored the common traffic advisory frequency (CTAF) for D95 and he "lost control short of landing."

A Federal Aviation Administration (FAA) inspector performed an on-site examination of the airplane. The inspector stated that the airplane impacted wires prior to colliding with trees and terrain. The inspector reported that flight control continuity could not be established due to the extent of damage incurred during the impact. The forward portion of the fuselage, including the canard, elevators and flight control mixing-unit, was extensively damaged. The source of the flight control malfunction could not be determined.